



US Army Corps
of Engineers
Seattle District

Public Notice of Application for Permit

Regulatory Branch
Post Office Box 3755
Seattle, Washington 98124-3755
Telephone (206) 764-3495
ATTN: Koko Cronin

Public Notice Date: October 24, 2005
Expiration Date: November 24, 2005
Reference: 200500818
Name: Muggli, Connie

Interested parties are hereby notified that an application has been received for a Department of the Army permit in accordance with Section 10 of the Rivers and Harbors Act of 1899, for certain work described below and shown on the enclosed drawings.

APPLICANT: Ms. Connie S. Muggli
1001 South Point Road
Port Ludlow, Washington 98365
Telephone: (360) 437-9967

LOCATION: In Squamish Harbor, Hood Canal, at Port Ludlow, Washington.

WORK: Construct a 4-foot by 40-foot fixed pier; install a 6-foot by 30-foot fully grated ramp, a 6-foot by 20-foot float, and a 6-foot by 30 foot float. The floats will be attached in a "T" formation and will each have 2-foot wide strip of grating installed. Drive eight ACZA piling with plastic strips to prevent chafing on floats, and drive two ACZA stub piling to prevent grounding of floats during low tides. Piles will be driven with an impact hammer. Remove six piles and an existing over-water deck as mitigation.

PURPOSE: To provide water access with private moorage.

MITIGATION: Remove six piles and an existing pier as mitigation.

ENDANGERED SPECIES: The Endangered Species Act (ESA) requires federal agencies to consult with the National Marine Fisheries Service (NMFS) and/or U.S. Fish and Wildlife Service (USFWS) pursuant to Section 7 of ESA on all actions that may affect a species listed (or proposed for listing) under the ESA as threatened or endangered or any designated critical habitat. The Hood Canal Summer-run Chum (*Oncorhynchus Keta*), listed threatened; Puget Sound Chinook (*O. tshawytscha*), listed threatened; coastal/Puget Sound bull trout (*Salvelinus confluentus*), listed threatened; bald eagle (*Haliaeetus leucocephalus*), listed threatened; marbled murrelet (*Brachyramphus marmoratus*), listed threatened; Steller sea lion (*Eumetopias jubatus*), listed threatened; humpback whales (*Megaptera novaeangliae*), listed endangered; leatherback sea turtle (*Dermochelys coriacea*) listed endangered; Southern resident killer whale (*Orcinus orca*), proposed threatened in the state of Washington, may occur in the proposed project area. For Hood Canal Summer-run Chum, Chinook Salmon, bull trout and marbled murrelet critical habitat has been designated.

After receipt of comments from this public notice, the U.S. Army Corps of Engineers will evaluate the potential impacts to Hood Canal Summer-run Chum, Puget Sound Chinook, Puget Sound bull trout, bald eagle, marbled murrelets, Stellar sea lions, humpback whales, leatherback sea turtles, and the Southern resident killer whale.

ESSENTIAL FISH HABITAT: The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996, requires all Federal agencies to consult with the NMFS on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). The proposed action would impact approximately 650 square feet of EFH for Pacific salmon, Groundfish, and Coastal Pelagic Species in the project area.

If the U.S. Army Corps of Engineers (Corps) determines that the proposed action may adversely affect EFH for federally managed fisheries in Washington waters, the Corps will initiate EFH consultation with the NMFS. The Corps' final determination relative to project impacts and the need for additional mitigation measures is subject to review by and coordination with the NMFS.

CULTURAL RESOURCES: The District Engineer has reviewed the latest published version of the National Register of Historic Places, lists of properties determined eligible and other sources of information. There are no recorded historic properties within the permit area. The proposed work is of a limited nature and extent that little likelihood exists for the project to impinge upon an unrecorded historic property. The District Engineer invites responses to this public notice from Native American Nations or tribal governments; Federal, State, and local agencies; historical and archeological societies; and other parties likely to have knowledge of or concerns with historic properties in the area. This public notice initiates consultation under Section 106 of the National Historic Preservation Act (36 CFR 800.4[a][3]), with any Tribe that has information or concerns with historic properties in the proposed permit area.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

The U.S. Army Corps of Engineers is soliciting comments from the public; Native American Nations or tribal governments; Federal, State, and local agencies and officials; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for the work. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

ADDITIONAL EVALUATION: The State of Washington is reviewing this work for consistency with the approved Washington Coastal Zone Management Program.

This proposal is the subject of a Shorelines Substantial Development Permit for Jefferson County.

COMMENT AND REVIEW PERIOD: Conventional mail or e-mail comments on this public notice will be accepted and made part of the record and will be considered in determining whether it would be in the public interest to authorize this proposal. In order to be accepted, e-mail comments must originate from the author's e-mail account and must include on the subject line of the e-mail message the permit applicant's name and

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reference number as shown below. All e-mail comments should be sent to Koko.Z.Cronin@usace.army.mil. Conventional mail comments should be sent U.S. Army Corps of Engineers, Regulatory Branch, Post Office Box 3755, Seattle, Washington, 98124-3755. Both conventional mail or e-mail comments must include the permit applicant's name and reference number, as shown below, and the commentor's name, address, and phone number. All comments whether conventional mail or e-mail must reach this office, no later than the expiration date of this public notice to ensure consideration. Please include the following name and reference number:

Muggli, Connie, 200500818

Encl

Drawings (4)

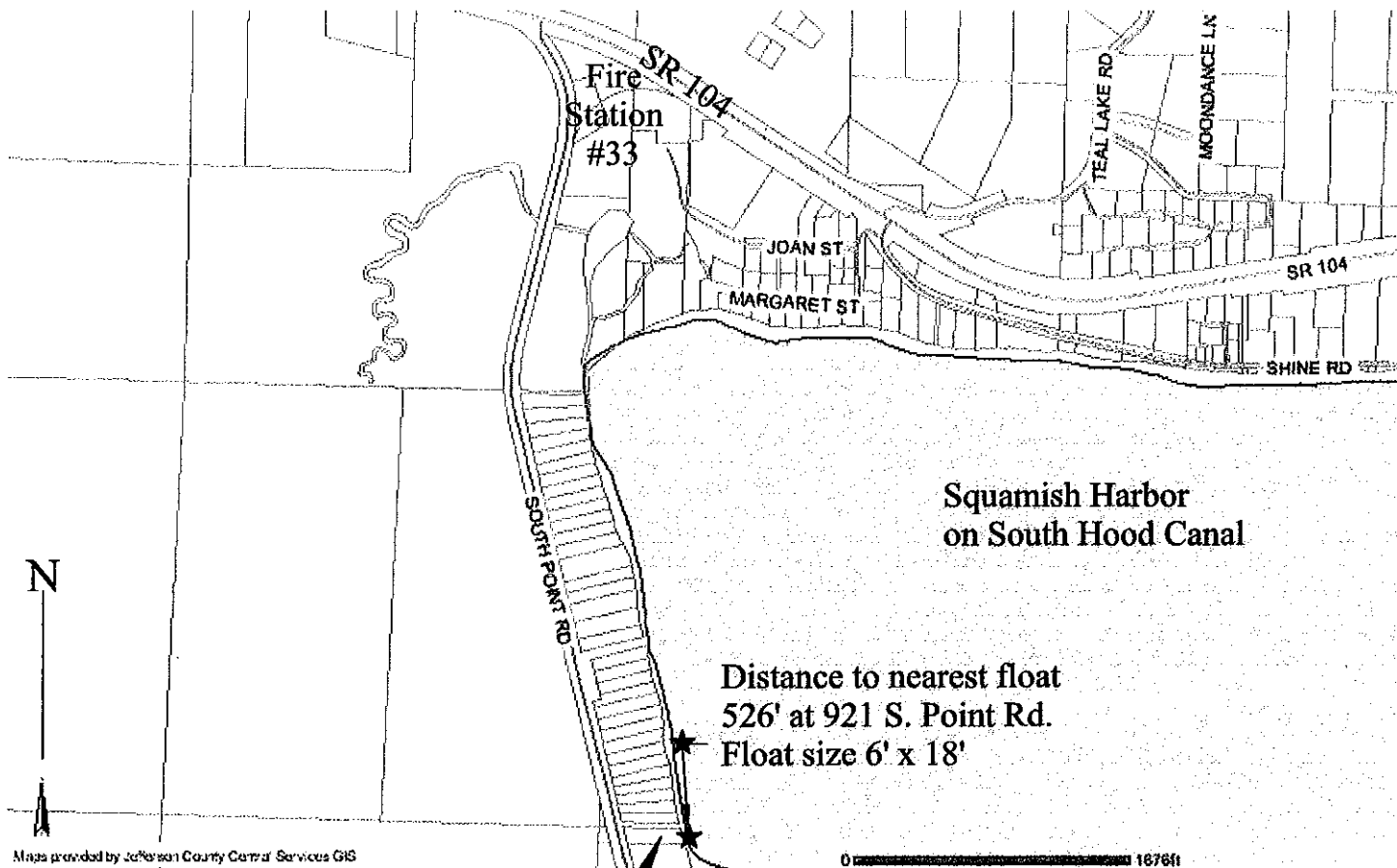
Vicinity Map

GPS

N 47 deg 51' 37.6"

W 122 deg 41' 24.3"

Site is located approximately 1 mile down South Point Rd off SR 104.
2 Miles north of Bridgehaven Community.



Proposed Pier/Ramp/Float
1001 S Point Rd
Port Ludlow, WA 98365
Jefferson County
North Property owner Stelling
South Property owner Murphy

Scale
1676 FT

Sheet 1 of 4
Sept 18, 2005

Connie & Rich Muggli
Reference # 200500818
Parcel # 721043002
Squamish Harbor on
South Hood Canal
Sec. 4 T. 27N R. 1E
NOAA Datums at Lofall MLLW=0'
& Tides & Currents for Windows
Nautical Software Inc.

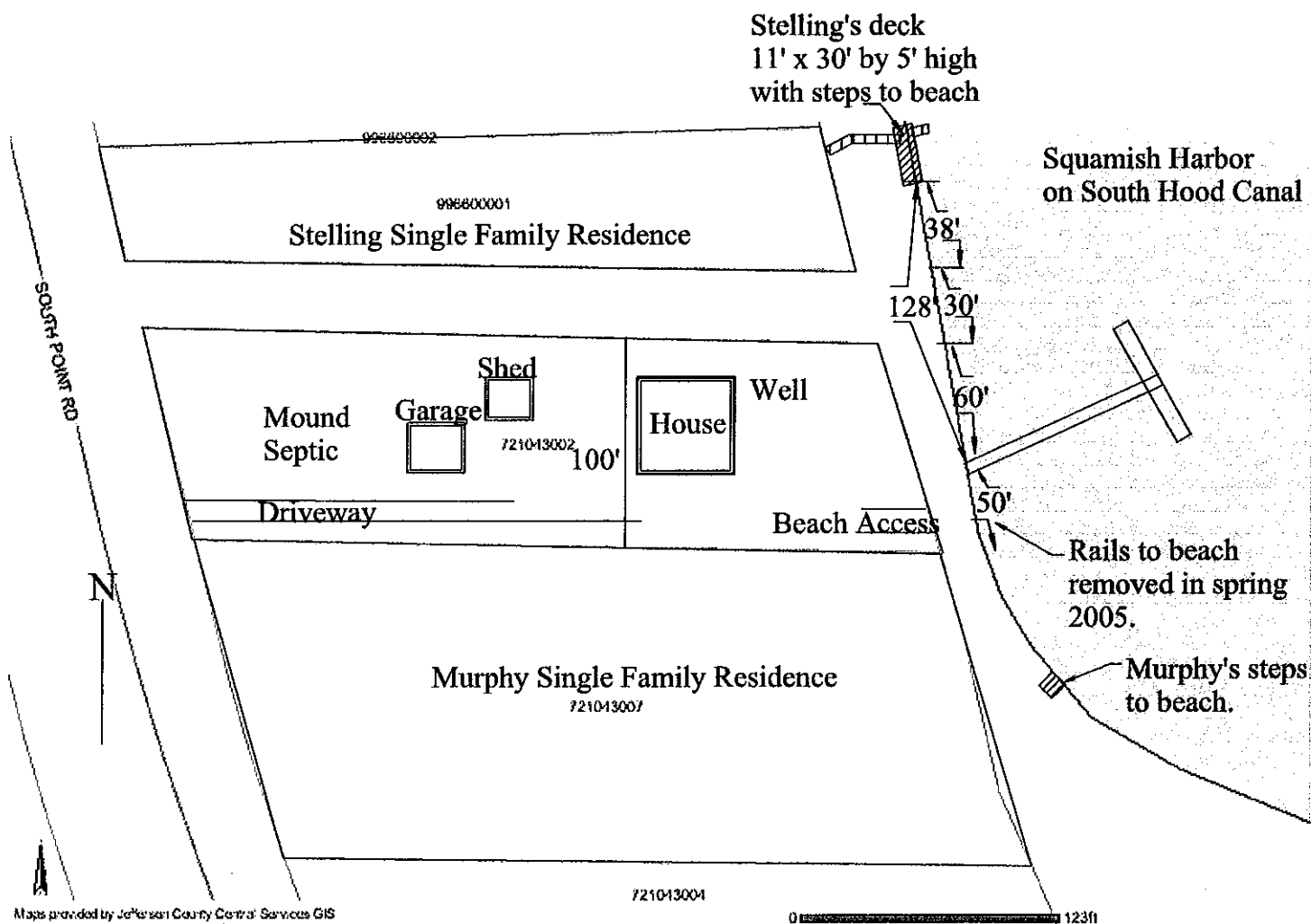
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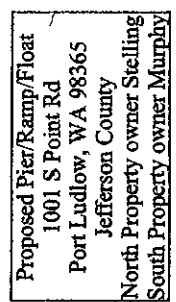


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Jefferson County
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South Property owner Murphy

Scale
123 FT

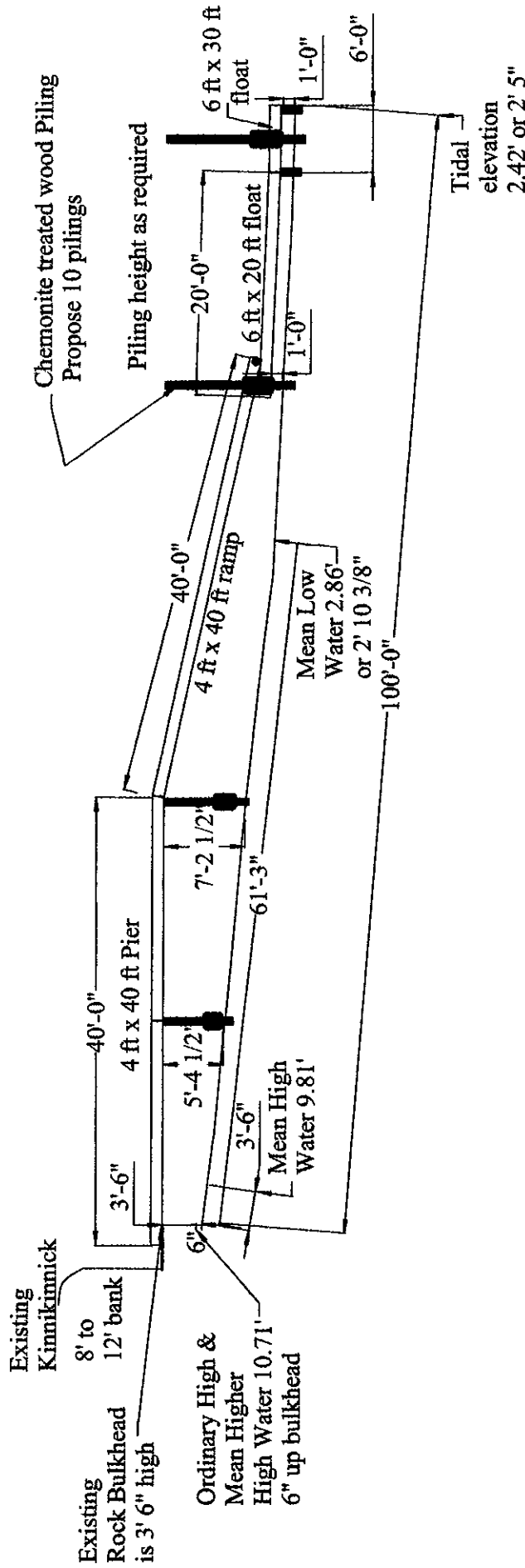
Sheet 2 of 4
Sept 18, 2005

Connie & Rich Muggli
Reference # 200500818
Parcel # 721043002
Squamish Harbor on
South Hood Canal
Sec. 4 T. 27N R. 1E
NOAA Datums at Lofall MLLW=0'
& Tides & Currents for Windows
Nautical Software Inc.



Murphy Residence
1021 S. Point Rd

Elevation/Cross Sectional View



Connie & Rich Muggli
Reference # 200500818
Parcel # 721043002
Squamish Harbor on
South Hood Canal
Sec. 4 T. 27N R. 1E
NOAA Datums at Lofall MLLW=0'
& Tides & Currents for Windows
Nautical Software Inc.

10'-0"
Scale

Sheet 4 of 4
Sept 18, 2005

Proposed Pier/Ramp/Float
1001 S Point Rd
Port Ludlow, WA 98365
Jefferson County
North Property owner Stelling
South Property owner Murphy



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

*P.O. Box 47600 • Olympia, Washington 98504-7600
(360) 407-6000 • TDD Only (Hearing Impaired) (360) 407-6006*

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Notice of Application for
Certification of Consistency with the
Washington Coastal Zone Management Program

Date: October 24, 2005

Notice is hereby given that a request has been filed with the Department of Ecology, pursuant to the requirements of Section 307© of the federal Coastal Zone Management Act of 1972 (16 U.S.C. 1451), to certify that the project described in the U.S. Army Corps of Engineers Public Notice No. 200500818 will comply with the Washington State Coastal Zone Management Program and that the project will be conducted in a manner consistent with that Program.

Any person desiring to present views on the project pertaining to the project's compliance or consistency with the Washington State Coastal Zone Management Program may do so by providing written comments within 30 days of the above publication date to:

Federal Permit Coordinator
Department of Ecology
SEA Program
Post Office Box 47600
Olympia, Washington 98504-7600